

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AGUSTIN CAMANO ANZUREZ, *individually and on*  
*behalf of others similarly situated,*

Plaintiff,

-v-

LA UNICA CARIDAD, INC. d/b/a LA CARIDAD 78  
RESTAURANT, et al.,

Defendants.  
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20-CV-3828 (JMF)

ORDER

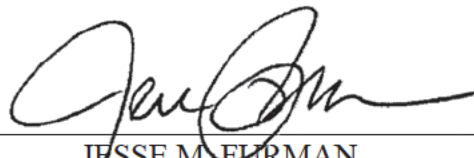
JESSE M. FURMAN, United States District Judge:

On August 12, 2020, Plaintiff filed his Amended Complaint, naming Defendants La Unica Caridad, Inc., Miguel Yip, and Kwok Wood Lee. ECF No. 30. Defendants Lee and Yip filed their Answer on October 27, 2020. ECF No. 52. La Unica Caridad, in contrast, has never responded to the Amended Complaint or otherwise appeared in this action. On October 29, 2020, following a hearing on the record by telephone, the Court entered default judgment against La Unica Caridad, finding it “liable to Plaintiff . . . as alleged in the complaint in this action, for unpaid minimum and overtime wages pursuant to the Fair Labor Standards Act (FLSA) and New York Labor Law (NYLL), unpaid spread-of-hours pay pursuant to NYLL §§ 650 et seq. and 12 N.Y.C.R.R. §§ 146-1.6, failure to furnish wage notice and wage statements as required under Section 195 of the New York Labor Law, and unlawful ‘kickbacks’ in violation of Section 198-b(2) of the New York Labor Law, together with interest, costs, and attorneys’ fees, all in a total to be ascertained.” ECF No. 58. On December 29, 2020, Plaintiff filed a notice of acceptance of offer of judgment pursuant to Rule 68 of the Federal Rules of Civil Procedure from Defendants Yip and Lee. ECF No. 70. The Court entered judgment against Defendants Yip and Lee in the amount of \$22,000 the next day. ECF No. 72.

The default judgment entered against La Unica Caridad pertains only to liability, not damages. Accordingly, no later than **January 13, 2021**, Plaintiff shall file a letter addressing what steps, if any, he intends to take to continue pursuing his claims against La Unica Caridad.

SO ORDERED.

Dated: December 30, 2020  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge